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Message Text

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ACTION OES-04

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FM USMISSION IAEA VIENNA
TO SECSTATE WASHDC 5232
INFO AEC GERMANTOWN
AMEMBASSY TOKYO

C O N F I D E N T I A L IAEA VIENNA 9379

E.O. 11652: GDS
TAGS: TECH, PARM, IAEA, JA
SUBJ: SAFEGUARDS TECHNICAL COMMITTEE AND JAPANESE NEGOTIATION OF NPT SAFEGUARDS AGREEMENT

REF: (A) IAEA VIENNA 8734 (B) TOKYO 13518

1. SUBSEQUENT REPORT REFTEL (A), TAKAOKA AND US MISSION HAVE EACH SEPARATELY DISCUSSED QUESTION OF TECHNICAL SAFEGUARDS COMMITTEE WITH INSPECTOR GENERAL ROMETSCH. THESE TALKS AND OUR SUBSEQUENT DISCUSSIONS WITH DIRECTOR GENERAL EKLUND REVEAL SUBSTANTIAL PROSPECTS FOR CREATION OF SAFEGUARDS TECHNICAL COMMITTEE WHICH COULD SATISFY JAPANESE DEMANDS.

2. EKLUND HAS DECIDED (BUT HAS NOT AS YET INFORMED JAPANESE) THAT HE WILL APPOINT SUCH COMMITTEE COMPOSED OF PERHPAS 10 TO 12 EXPERTS FROM SUCH COUNTRIES AS US, UK, CANADA, FRG, JAPAN, ITALY, SWEDEN, MEXICO, CZECHOSLOVAKIA, USSR, AS STANDING COMMITTEE REPORTING TO DIRECTOR GENERAL. HE INTENDS TO MAKE APPOINTMENTS ON HIS OWN INITIATIVE AND TO INFORM THE BOARD OF GOVERNORS OF HIS ACTION, WITHOUT REQUESTING BOARD APPROVAL. THIS WILL MAKE THE COMMITTEE DIFFERENT, IN
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THIS RESPECT, FROM THE SCIENTIFIC ADVISORY COMMITTEE WHICH

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IS ALSO PERSONALLY RESPONSIBLE TO THE DIRECTOR GENERAL, BUT WHOSE MEMBERS ARE APPOINTED BY THE BOARD, UPON NOMINATION BY DIRECTOR GENERAL. THE DG WILL WORK OUT ARRANGEMENTS TO BRING TO THE ATTENTION OF THE BOARD ON A PERIODIC BASIS THE RESULTS OF THE WORK OF THE COMMITTEE JUST AS HE DOES WITH THE SAC. EVEN THOUGH THE BOARD WILL NOT HAVE A FORMAL RELATIONSHIP WITH THE COMMITTEE, ANY BOARD MEMBER, OF COURSE (UNDER STANDARD OPERATING PROCEDURES OF THE AGENCY) CAN RAISE QUESTIONS WITH RESPECT TO THE COMMITTEE'S WORK OR SUGGEST PROBLEMS WHICH THE DG SHOULD ASK THE COMMITTEE TO ADDRESS. THE DG HAS NOT YET WORKED OUT TERMS OF REFERENCE AND MISSION WILL REPORT AGAIN WHEN THIS HAS BEEN DONE. HE DID NOT FEEL THAT TERMS WOULD CAUSE SERIOUS DIFFICULTIES, HOWEVER, SINCE THE COMMITTEE WOULD OBVIOUSLY BE SEIZED WITH TECHNICAL QUESTIONS SIMILAR TO THOSE WHICH THE JAPANESE HAD RAISED.

3. I INFORMED DG THAT US THINKING WAS ALONG THE SAME LINES AS OUTLINED ABOVE, AND I ASSURED HIM WE WOULD SUPPORT HIS GENERAL APPROACH. WOULD APPRECIATE ANY COMMENT WHICH WASHINGTON MIGHT HAVE. IN THE MEANTIME, WE DO NOT PLAN DISCUSS SUBJECT WITH JAPANESE UNTIL AFTER SECRETARIAT HAS FLESHED OUT DETAILS AND WE HAVE HAD OPPORTUNITY TO DISCUSS SUCH DETAILS WITH SECRETARIAT.

4. WE NOTE THAT SOME INSIGHT INTO CURRENT JAPANESE VIEWS ON COMMITTEE MAY BE GAINED FROM ARTICLE BY PRINCIPAL ADVOCATE, R. IMAI, WHICH APPEARS IN RECENT SIPRI PUBLICATION "NUCLEAR PROLIFERATION PROBLEMS," SEE ESPECIALLY PAGES 252 THROUGH 254. AFTER LISTING SEVEN GENERAL PROBLEMS CREATED, ACCORDING TO IMAI, BY HEAVY RELIANCE IN INFCIRC/153 ON NATIONAL SYSTEMS, HE CONCLUDES THAT EFFORTS DURING NEGOTIATION RESPECTIVE SAFEGUARDS AGREEMENTS WITH EURATOM AND US (SIC) TO FIND TECHNICAL SOLUTIONS TO SUCH POLITICAL PROBLEMS WERE UNSUCCESSFUL. ON OTHER HAND, OFFERING OF POLITICAL SOLUTIONS TO TECHNICAL PROBLEMS WOULD ONLY CREATE BIASED AND UNFAIR PRACTICE IN ACTUAL APPLICATION OF SAFEGUARDS. AS WAY OF RESOLVING DILEMMA, "COMMITTEE OF TECHNICAL EXPERTS TO SERVE AS ADVISER TO THE BOARD" HAS BEEN PROPOSED BY CONFIDENTIAL

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JAPAN. COMMITTEE "SHALL BE ENTRUSTED WITH THE JOB OF GIVING TECHNICAL INTERPRETATIONS TO TECHNICAL PROVISIONS OF THE SAFEGUARDS AGREEMENT, AND TO OFFER TECHNICAL ANALYSIS AND EVALUATION REGARDING ACTUAL METHODS OF SAFEGUARDS APPLICATION WHENEVER IT IS CALLED FOR." HE OBSERVES THAT MOST OF ENUMERATED PROBLEMS HAVE NO REASONABLE SHORT-TERM SOLUTION, BUT MUST BE ACCEPTED AS INTRINSIC LIMITATIONS. HE CONCLUDES THAT

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".....SAFEGUARDS TECHNOLOGY AND THE IAEA SYSTEM HAVE
BEEN IMPROVED TO THE EXTENT THAT THEY NO LONGER REMAIN
A MAJOR NPT ISSUE ALTHOUGH THEY CONTINUE TO BE AN
IMPORTANT IAEA PROBLEM."LABOWITZ

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